

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

TERRIE LYNN SMITH-WILLIAMS

Plaintiff,

v.

Civil Action No. 2:16-3556

NANCY A. BERRYHILL,
Acting Commissioner of the
Social Security Administration,

Defendant.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Cheryl A. Eifert, entered on March 6, 2017; and the magistrate judge having recommended that the court affirm the final decision of the Commissioner;¹ deny plaintiff's motion for judgment on the pleadings; and grant the Commissioner's motion for judgment on the pleadings; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

1. The findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein;

¹ While Carolyn W. Colvin was the Acting Commissioner of Social Security when plaintiff commenced this action, Nancy Berryhill became the Acting Commissioner on January 23, 2017.

2. Plaintiff's motion for judgment on the pleadings be, and it hereby is, denied;

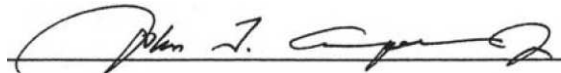
3. The Commissioner's motion for judgment on the pleadings be, and it hereby is, granted;

4. The decision of the Commissioner be, and it hereby is, affirmed; and

5. The action is dismissed, with prejudice, from the docket of this court.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and the United States Magistrate Judge.

DATED: April 4, 2017



John T. Copenhaver, Jr.
United States District Judge